

REMARKS

Reconsideration is requested of the rejection of claims 7 and 8 under 35 U.S.C. 112, first paragraph. Claims 7 and 8, as amended, satisfy the written description requirement. Claims 7 and 8 now refer to the tricyclic and tetracyclic taxane nucleus; this language is supported in the specification on page 18, lines 17-18.

Reconsideration is requested of the rejection of claims 1-8 under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of U.S. Patent No. 5,717,115, claims 1-44 of U.S. Patent No. 6,124,481 and claims 1-4 and 7-8 of U.S. Patent No. 6,458,977. In the interests of expediting prosecution and without conceding the propriety of the rejection, enclosed herewith is a Terminal Disclaimer in accordance with 37 CFR 1.130(b) and 37 CFR 1.321(c) to obviate the rejections. Accordingly, Applicants respectfully request the obviousness-type double patenting rejections be withdrawn.

CONCLUSION

Applicant submits that the present application is now in a condition for allowance and requests allowance of the pending claims.

* A check in the amount of \$110.00 is enclosed for the Terminal Disclaimer. The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of government fees to Deposit Account No. 19-1345.

Respectfully submitted,



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